UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,445	09/29/2000	Ronald R. Martinsen	13768.783.284	4420

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ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Office Action Summary		Application No.	Applicant(s)
		09/677,445	MARTINSEN ET AL.
		Examiner	Art Unit	
		Mylinh Tran	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 June 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-6,9-23 and 25-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-6, 9-23 and 25-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Applicant's Amendment filed 06/07/07 has been entered and carefully

considered. Claims 1, 18 and 25 have been amended. However, the limitations

of the amended claims have not been found to be patentable over prior art of

record, therefore, claims 1-6, 9-23 and 25-28 remain rejected under the same

ground of rejection as set forth in the Office Action mailed (03/07/07).

Claim Objections

Claims 18-23 and 25-28 appear to be directed to software per se that are

considered non-statutory. It is believed that applicant intends to claim a

statutory system. Applicant is suggested to change a "computer readable

media" to a "computer storage media".

Corrections are required to place these claims in one of the four

categories of invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

Claims 1-6, 9-23 and 25-28 are rejected under 35 U.S.C. 102(e) as being

anticipated by Toub et al. [US. 6,674,450].

As per independent claims 1 and 25, Toub et al. teach using dynamic

hypertext markup language (DHTML) with a behavior component that enhances

an element's initial behavior, a method of synchronously binding the behavior component to the element in order to prevent the behavior from being detached there from and to promote predictability (column 2, lines 33-62);

receiving at a browser application a page for processing and displaying one or more elements (column 2, lines 33-55);

upon an initial automatic parsing of the page (column 5, lines 45-51, processing from within the page an import instruction that links implementation of an element behavior with the one or more elements of the page (column 4, lines 30-62), wherein the element behavior is a DHTML component that encapsulates specific functionality or behavior on the page (column 5, lines 1-35); and modifying an initial behavior of the one or more elements within the page by instantiating an instance of the element behavior component in accordance with the import instruction when a part of the page corresponding thereto is parsed by the browser (column 7, lines 10-37), which synchronously binds the element behavior component to the one or more elements (column 4, line 63 through column 5, line 35 and column 6, lines 60-67).

As per claim 2, which is dependent on claim 1, Toub et al. teach the element being associated with a namespace in the page (column 4, lines 30-62).

As per claim 3, which is dependent on claim 2, Toub et al. teach the element behavior component comprising a name for creating a custom element that may be linked to the behavior component, and a syntax for the element comprising a reference to the name (column 4, lines 30-62).

As per claim 4, which is dependent on claim 3, it would have been inherent in Toub's HTML/Web system that the syntax for the element further comprising a reference to the namespace.

As per claim 5, which is dependent on claim 1, Toub et al. teach the element behavior component comprising a name or creating a custom element that may be linked to the behavior component, and a syntax for the element comprises a reference to the name (column 5, lines 35-65).

As per claim 6, which is dependent on claim 1, since the element behavior component, which is injected into the HTML code, is written in Java script, it would have been inherent in Toub's system that the behavior component is instantiated in accordance with a thread, and the import instruction causing at least one other thread to cease while instantiating the behavior component (column 5, lines 1-35).

As per claim 9, which is dependent on claim 1, Toub et al. teach the element behavior component comprising content, and instantiating the behavior component comprising inserting the content into the page (column 6, lines 35-61).

As per claim 10, which is dependent on claim 9, Toub et al. teach processing the page comprising interpreting the page including creating a document structure, wherein instantiating the instance of the element behavior component comprising creating a document fragment including content, and wherein

inserting the content into the page comprises inserting the document fragment into the document structure (column 7, lines 11-38).

As per claim 11, which is dependent on claim 1, it is rejected under the same rationale as claim 10.

As per claim 12, which is dependent on claim 1, Toub et al. teach processing the page comprising interpreting the page including creating a document structure, and instantiating the instance of the element behavior component comprising, creating a document fragment; and maintaining the document fragment separate from the document structure (column 7, lines 11-38).

As per claim 13, which is dependent on claim 12, it would have been inherent in Toub's system that the element comprises a pointer to the document fragment.

As per claims 14 and 15, which are dependent on claims 13 and 14 respectively, Toub et al. teach the document fragment comprising content, and interpreting the page comprising inserting the content into the page, inserting the content into the page comprising inserting the content into a position corresponding to a location of the element in the page (column 5, lines 1-35).

As per claim 16, which is dependent on claim 1, Toub et al. teach the element behavior component comprising script (column 6, lines 10-35).

As per claim 17, which is dependent on claim 16, Toub et al. teach the element behavior component comprising an HTC file (column 6, lines 10-53).

As per independent claim 18, it is rejected under the same rationale as claims 1 and 12.

As per claim 19, which is dependent on claim 18, it is rejected under the same rationale as claim 13.

As per claim 20, which is dependent on claim 19, Toub et al. teach processing the page comprising applying the behavior or functionality of the element behavior component to the element (column 5, lines 1-35).

As per claim 21, which is dependent on claim 19, it is rejected under the same rationale as claim 14.

As per claim 22, which is dependent on claim 21, it is rejected under the same rationale as claim 15.

As per claim 23, which is dependent on claim 18, it is rejected under the same rationale as claim 14.

As per claim 26, which is dependent on claim 25, Toub et al. teach the element behavior component comprising an instruction component configured such that during the parsing of the page, static content within the element being not parsed (column 6, line 62 through column 7, line 11).

As per claims 27 and 28, which are dependent on claims 26 and 27 respectively, Toub et al. teach an executable file for accessing the content within the element, executable file comprising scripts (column 2, lines 33-63).

Response to Arguments

Applicant has argued that Toub does not teach or suggest "upon an initial automatic parsing of the page, processing from within the page an import instruction that links implementation of an element behavior with element(s) of the page, wherein the element behavior is a DHTML component that encapsulates specific functionality or behavior on the page."

However the examiner respectfully disagrees because Toub teach the step of upon an initial automatic parsing of the page, processing from within the page at page 5, lines 35-51 that cites "This code uses the "event model" within a standard browser. The event model supports DHTML user trap actions (event) within the interactive data-bound control, so that the user actions can be translated into a performed operation. When an event occurs, the handler for that event is called by the standard browser. Within the handler, checks are made to determine which element within the interactive data-bound control invoked the event (i.e., modifying a task, scrolling, drilling down, etc.). The present state of the interactive data-bound control is assessed, and, then, the code is executed to effect changes in the layout of the control as appropriated to reflect the user actions.". Once the user requests to modify a task (read "when an event occurs", page 5, lines 43-44), the handler for that event is called by the standard browser (read "upon parsing the web page"). As soon as the web page parses, the step of "checking are made to determine with element within the interactive data-bound control invoke the event" is initialized. It is

clear that upon parsing the web page, the element behavior is initialized as

soon as it has been downloaded and parsed and the element behavior

synchronously binds to the elements within a Web page.

Applicant also argued that Toub fails to teach modifying an initial behavior or

default behavior of the element(s) within the page. However, the examiner

respectfully disagrees on the argument. Applicant's attention is directed to

column 5, lines 48-55 which cited "The present state of the interactive data-

bound control is assessed, and, then, the code is executed to effect changes in

the layout of the control as appropriate to reflect the user actions. It is clear that

the layout of the control is changed when the handler for the event is called by

the standard browser.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension

of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

WEILUN LO
SUPERVISORY PATENT EXAMINER